Don't Complain

THE DISPATCH FOUNDED 1880.

WHOLE NUMBER 16,751

RICHMOND, VA., FRIDAY, JANUARY 27, 1905.

PRICE TWO CENTS.

SUPREME COURT

SEALS M'CUE'S

DOOM FOR EVER

WILLARD AND SWANSON DENY

Both Give Statements of Positions on Employers'Liability Act.

ALREADY AN ISSUE IN THE CAMPAIGN

Mr. Willard Tells Why He Voted Against the Measure When His Amendment Was Defeated-Mr. Swanson Says He Strongly Favored the Principle.

The principle of the employers' lia-bility act, which after years of hard fighting was incorporated in the statute law of Virginia, promises to be a factor in the gubernatorial campaign just opening up in Virginia. Indeed the attitude of the aspirants for the Democratic nomination toward that measure and its effect upon their candidacy, so far us the support of the working amen is concorned, is already being discussed with warmth. It may grow hot before the snows of winter have gone.

The Richmond correspondent of the Washington Post, in a special sent to that paper on Monday, commented upon the reported fact that Captain Willard would receive the hearty support of a large proportion of the labor men of the State, because he had, it was said, been instrumental in securing the passage of the employers' liability act. Friends in Washington of Mr. Swanson took exceptions to this statement and drew attention to the fact that Captain Willard, whife a member of the House of Delegatos, voted against the measure. They went further, and to representatives of Virginia papers quoted from the report of the Virginia Legislative Board of Railroad Employes, which created a profound sensation when published in August, 1893, to show that Captain Willard was referred to as among those who "fought us very hard." This report, with which people interested in pilities are still familiar, includes Judge Mann, another aspirant for Governor, among those who voted against the bill, and Mr. Swanson's name uppears second in the list of those who were opposed to the measure and "fought us very hard." the reported fact that Captain Willard

Captain Willard's Position. Captain Willard's Position.
Cuptain Willard when seen last night and takket for a statement, said what he objected to in the story sent, out from Washington, was the fact that in quoting from the Virginia Legislative Board of Raliroad Employee (August, 1820), only a part of the paragraph was used. Captain Willard said his attitute was then and his views are now, that the provisions of the employers' liability bill should apply not only to railroad men, but to all men onguged in a hazardous omployment.

omployment.

When the bill in question was before the House of Delegates, Mr. Willard, then a member of that body, rose in his seat and stated to the late Hon. William F. Reddy, patron of the measure, that if he (Mr. Reddy), would accept an amendment making the provisions of this bill apply to all corporations and manufacturing establishments engaged in any hazardous employment, that he (Mr. Willard) would not only vote for the bill, but lend it his cordial support. Mr. Reddy declined to accept this amendment, and Mr. Willard stated that he would oppose the bill.

and Mr. Willard stated that he would oppose the bill.

Mr. Willard sald further, that when the employers' liability bill, as applied oxclusively to railroads, was made an issue in and endorsed by the Democratic State Convention in Norfolk three years ago, and when the recent Constitutional Convention made the passage of this bill mundatory on the Legislature, he gave it his cordial support, without, however, in any degree, changing his views as to the justice of the matter involved.

"I think," he continued, "my position is understood by, every railroad man in the State, and I am gratified that under the provisions of the oxisting law, each railroad man has the protection which he justily deserves. Yet I wish that overy laboring man in Virginia engaged in similar hazardous employment should have equal protection."

The Committee's Report

The Committee's Report.

The Committee's Report.

Mr. Willard referred to the following quotations from the report of the legislative board (August, 1899), which contains the criticism referred to above;

Page 7: "Before giving the recorded vote, we would like to make special mention of some who fought us very hard, notably Hon. Joseph E. Willard, of Fairfax, who offered an amendment, providing that this act should apply to all corporations and manufacturing establishments, and all agricultural and all classes of labor alike. This amendment was defeated."

11 At 2 A. M.

TOSSED ABOUT AT

MERCY OF WAVES

Score of Passengers on Norfolk

Steamer Have Narrow Es-

cape From Death.

Cylinder Exploded and Blew

Hole in Starboard Bow Be-

low Water Line.

TROOPS FIRE ON POINTER ON THE WEATHER STRIKERS IN RIGA

Thirty Workmen Killed or Wounded: All Workshops Closed.

FACTORIES SET ON FIRE IN CAPITAL

Situation Generally Is Not So Acute-Trepoff Says Worst Has Passed-Moscow Is Quiet-A Gendarme Shot Dead at Libon.

RUSSIA, January 26.—Tho trike here is general. Demonstrations WOMEN WERE HYSTERICAL are in progress, and the newspapers are ot publishing.

(By Associated Press.) LONDON, January 26.—A dispatch to Router's Telegram Company, from Riga, By Associated Press.)

NOHFOLK, VA., Jan. 25.—For seven hours to-day he lives of a score of passengers were in jeopardy, on board the steamer Bigamont, of the Norfolk and Bouthern Railroad, which piles in the Albemaria and Pamileo Bounds between the town of Edenton and Columbia. N. C. While on route to the latter place this morning, the cylinder on board the steamer exploded, causing, it is claimed, a portion of the machinery to he driven through the star value lines. The procession.

All the workshops and factories are closed. The strikers are parading the streets and forcing all workmen to join the procession.

All the workshops and factories are closed. The strikers are parading the streets and forcing all workmen to join the procession.

A dispatch from St. Petersburg, time \$126. P. M., to a news agency, reports that Phal's factory; and a large cotton mill have been set on fire and are burning firecely, confirms the previous announcement of a

a portion of the machinery to be driven through the starbeard bow of the vessel below the water line. Through this opening water began pouring into the lower decks and for a time it looked as if she would go to the bottom with all on board.

STRIKE EXTENDING: NOT MUGH DISORDER

were decks and for a time it looked as if a his would go to the bottom with all on board.

The wind was blowing about seventy of the miles and hour, and snow was falling. Captain Holmes ordered all the passangers to go to the sulcon above, an detailed three members of the crow to furnish each with a life preserver, and to see that they were strapped to the person of each passanger. There were some women on board who became hysterical. The steamer tossed about it the look for bottom in a phalpies condition in the total for bottom of the preserver. And though the strikes in Jean 1995. The steamer tossed about it the look for bottom in a phalpies condition in the strike in the strik (Continued on Second Page.

GIVES \$150,000 FOR JAMES RIVER

House Committee Agrees Upon Bill Providing for River and Harbor Work.

TOTAL AMOUNT \$17,091,875

Norfolk Gets \$40,000 for Harbor Improvements Other Appropriations.

(By Associated Press.)

WASHINGTON, Jan. 26.—The House Committee on Rivers and Harbors to-day Harbor work. The bill carries an aggregate appropriation of \$17,001,875; and authorized expenditures for continuing con-tracts aggregating \$16,734,867. From the tracts aggregating \$19,134,957. From the total of cash appropriated is to be deducted, the sum of \$2,188,942, the unexpended halance of the impropriation corried in the emergency act of last year. Only a few new projects are provided for. The following shows the sums appropriated for places named where the liquid state of \$2,000 cm mars also the examounts to \$25,000 or more, also the expenditures nuthorized for confinuing con-

racts where made: Virginia-Noriolk harbor and its ap proaches, \$40,000; Capo Charles City harbor, \$25,000; York River, Occoquan and Carter Creeks, Mattaponi and Pamunkey

of factories and factories and cartor Creeks, Mattaponi and Pamunkey (artor (artor Creeks, Mattaponi and Pamunkey (artor) (artor (artor) (artor)

\$25,000; Crystal, Anciote, Statuses that Withacooche River, \$30,000; removing water hyaciath from Florida waters, \$25,-000; Apalachicola Bay, \$30,000.

Alabama—Mobilo hurbor, \$200,000; Mobilo, Bar, \$50,000; Alabama River, \$100,-000; Black Warrior, Warrior and Tombigbee Rivers, \$100,000 and for continuing contracts, \$781,466.

Mississippl—Horn Island Pass (conditional), \$40,480; Pascagoula River, \$50,000; Yazoo, Tallahatchie, Cold Water and His Sunflower Rivers and Tenual Lake, \$105,-000.

Sunflower Rivers and Tenual Lake, \$105,000.
Liouisiana—Caleasieu River, \$80,003;
Bayou Plaquemiene, Grand Riyer and
Pigeon Bayou, \$36,000, and for continuing contracts, \$100,000; removing water
hyacinth from Louisiana and Texas, \$40,000; Red River, Louisiana, Arkansas, Texas and Indian Territory (of which \$150,000 is above Fulion), \$200,000.
Tennessee—Cumberland River above
Nashville, including construction of lock
and dam, No. 21, \$84,000 and for continuing contracts, \$200,000; Tennessee River,
above Chattanooga, \$50,000; Tennessee
River, Chattanooga to Riverton, \$152,000
and for continuing contracts, \$200,000
Tennessee River, lock at Soott's Point,
\$10,000 and for continuing contracts, \$10,000;
Tennessee River below Riverton,
\$30,000.
New York—East River and Hell Gate,
\$200,000; Harlem River, \$75,000
Pennsylvania—Delaware River, Pennsylvania, New Jersey and Delaware (also
\$500,000 for continuing contracts, \$750,000.
Marviand—Patapseo River and channel

tracts, \$750,000.

Maryland—Patapseo Itiver and channel to Baltimore \$250,000, and for continuing contracts, \$1,000,000.

WANT HELP TO-DAY.

The 41 advertisements for help pub-lished in 10-day's rimes-Disputch on page 8 are as follows:

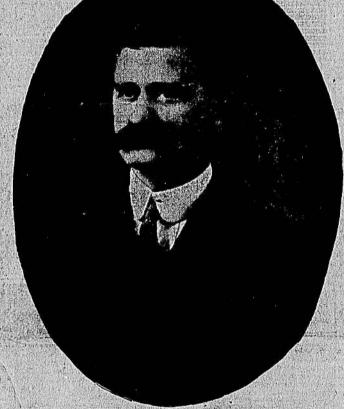
2 Trades. 28 Domestics. 2 Salesmen. 2 Agents. 7 Miscellaneous.

This not only interests those out of work, but those desiring to improve their positions as well.



M'CUE HOME, SCENE OF THE TRAGEDY AND

J. SAMUEL M'CUE, THE CONVICTED MURDERER



DAGGER OR KNIFE?

Important Fight by Counsel in the Fishburne Trial.

LADIES INVADE THE COURT

(Special to The Times-Disputch.) ROANOKE, VA., Jan. 26 -- In the trial of Charles R. Fishburne, the young broker, indicted for the murder of Dr. was for the purpose of showing that the wound was made by a dirk and not an ordinary pocket knife.

The crowd at the trial continues to increase, and this morning the judge's bench was invaded by ladies. Six of the fair sex were seated back of him when he opened court. Many brought chairs and stools, and several sat on the moor in the semi-circle between the bar and bench. It was quite cold at times in the court room, and people kept on their

wraps.
Every one remarked on Fishburne's coolness throughout the trying ordeal. During the weening of the widow, the sobbing of the boy and when the bloody clothing was exhibited, he showed not the slightest change in countenance.

One of the most conspicuous figures in the court room to-day was Joe Chrk, the big engineer, who lied the knot of the negro. Williams, hung here for murderous assault, attended by Rielimond military.

Dr. R. W. Brown, who was the physical attending Dr. Lefew, was recalled to the stand soon after court opened. The Cut Clothing.

Attorneys for the defense then asked permission of the court to retire and examine the clothing of Dr. Lefew, which was granted. When they returned, Mr. Smith. of the prosecution, requested Dr. Brown to measure the slits made in the clothing.

Brown to measure the slits made in the clothing.

Mr. H. M. Smith, the Richmond atturney for the prosecution, insisted on the use of a piece of steel pushed through the opening to see if they would not stretch, and finally a piece of stiff paper was used, and the slits were measured by the jury. The measurements were as follows: Undershirt, 1-8; inches; nextigge, 1-18; vest, 1-18; outside and 1 inchinside. Dr. Brown said the skin line was 1-2 when he first examined it.

Cross-examination by Mr. Wood for the defense, Dr. Brown said he calculated that the length of the knife blade was about 31-4 inches. The cross-examination by the defense was kept up until court adjourned for the afternoon session. All the questions were for the purpose of showing what kind of a knife, was used, the testimony of Dr. Brown.

(Continued on Fifth Page.)

WASSTAB MADE BY MIDDLE-MEN TO

New Orleans Convention Adopts Measures to Drive Cotton Speculator Off Market.

PLANTERS TO SELL DIRECT

Interstate Cotton Convention finally

closed its successful three days' session. Throughout the morning there had been a hard struggle in committee for ascendancy between the friends of Jordan and those of Peters in the nermanent association, but all differences were finally reconciled and a unanimous refinally reconciled and a unanimous re- any other result than that which has port was presented to the convention. The been reached. It is further stated ex-

and producers made a report in the interest of the elimination of the speculator in cotton. The committee said that the wide fluctuations are alike disastrous to the manufacturer to promulgate prices for cotton products based on a uniform cost of the raw staple and for either the farmer or the manufacturer to maintain his prices. It was recommended, therefore, that a committee consisting of one cotton producer from each State be appointed to confer with mill men asking that they join hands with the producer an sell his cotton direct to the manufacturer, and thoraby eliminate the speculator from the market. The report was adopted.

The report of the Committee on Pormanent Organization followed.

It provides for the creation of the Bouthern Cotton Association, embracing all the cotton producing States and Territories to regulate cotton production, cotton supply and financing, and especially cotton marketing, using every effort to secure broader markets and to limit the products from the time it leaves the products from the time it leaves the field until it reaches the consumer. These are to be State and Territorial, county

Acoptinued on Fifth Page.)

Illis crime.

Commends Attorneys.

The opinion in the case is a ringing pronouncement of the law and of the duties of the appellate judiciary in its administration of the authorities upon the issues raised in this case. Far from centuries the practice of centuries. It will be found a rich and exhaustive the producer from the market to the manufacturer, and thoreby eliminate the speculation of authorities upon the issues raised in this case. Far from centuring the produce for their practice of centuries. It will be found a rich and exhaustive the producer from the market. The report of the Committee on Persance of terest of the elimination of the speculator in cotton. The committee said that
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producer can sell his cotton direct to the
manufacturer, and thereby eliminate the
speculator from the market. The report terest of the elimination of the specula-

(Continued on Fifth Page.)

The Last Ray of Hope **Fades From His** View. TRIBUNAL AGAIN DENIES PETITION

In Voluminous Opinion Writ of Error Is Refused.

ALL IMPORTANT POINTS ARE CAREFULLY ANSWERED

President Keith, of the Court, Writes the Opinion and Paficitly Reviews Every Question of Material Consequence Raised by the Prisoner's Counsel.

The action of the Supreme Court of Apeals of Virginia, promulgated yesterday the matter of the polition for a wri of error in the case of J. Samuel McCu vs. the Commonwealth, again denying he writ of error prayed for extinguished the last hope of the petitioner, unde 6th, in the juil yard at Charlottesville mended petition of the condemned man he court hands down an opinion exhaus fively reviewing the principal assign nents of error and stating the ground ipon which each is dismissed or dispose The opinion of the court, written y Judgo James Keith, president of the ourt and a jurist of veteran experience s careful review of the case, illumine ion that the dase was not give

tion that the case was not given that due and doliberate consideration. Which is gravity and the momentopaness of the issues involved demanded. With great pattence the learned judge analyses the contentions of the petitioner's counsel and states the grounds upon which its own notion is grounded.

Indeed, it is stated in the opinion that "we would not have any one believe that we shirk any labor in the performance of the duty imposed upon us, and, above all, we would not have them entertain the suspicion that we deal lightly with issues involving the liberty or the life of a citizen." The court further states that its practice is not an innovation upon that of its predecessors and that it is neither perverting or diverting the administration of justice from its ancient and accustomed course, but that it is walking in the beaten path prescribed from the earliest period in this Commonwealth.

Duties to Society.

Duties to Society.

In the course of the statement of its conclusions in this case, the court states its duties to society as well as to the prisoner and the rights of the great mass of citizens weighed against those of an accused person. While those accused of crime have rights that should be held inviolable, society has rights which are Special to The Times-Dispatch.)

NOKE, VA. Jan. 28.—In the trust arise R. Fishburne, the young arise R. Fishburne, the young time for the murder of Dr. indicted for the murder of Dr. is teleful. The committee for a permanent or is the purpose of showing that the was made by a dirk and not an of Texas, as vice pression, and E. S. Poters, of The action of the court is made.

Inw upon his oftense.

The action of the court is made known in a typewritten opinion of forty pages, dealing seriatim with the chief exceptions relied upon by the petitioner in his prayer for a writ of error. The court takes occasion to justify the vordict in the most positive and emphatic language that could be used to express its conclusion. It is stated that no one can read the facts presented in ovidence without being convinced that no advocacy, ...owever skilled, could have brought about any other result than that which has port was presented to the convention. The feature of the toregoon session was the defeat of-the modified Waco warehouse plan, which had been reported by a majority of the committee. A committee of three was named to confer with the president in the matter of the calargement of the American cotton trade.

Eliminate Speculators, At the afternoon session the committee on closer relations between manufacturers on closer relations between manufacturers as agrayating, rather than extensible. as aggravating, rather than extenuating, his crime.

Commends Attorneys.

(Continued on Seventh Puge.)

CRUISER AND MARINES TO WATCH SAN DOMINGO

Fighting Said to Have Broken Out in Streets-Much Excitement.

INVESTIGATE DEATHS ON STEAMER VADERLAND

Four Departments Now Conducting Inquiry-Passengers Not Allowed to Land.

of labor alike. This amendment was defeated."

Again on page 12: "Mann, of Lunenburg, Nottoway and Brunswick, voted against it."

Again on page 13: of the same report, you will find, he said: "We desire to sail special attention to those who were for and against us-Benialor Thomas Martin, Congressman Swanson, Licutenation of Covernor Bohols, Lawyer Philogar, Law, yor Forguson, of Apponatox; Doorkeeps of the Senate Donald, Sergean-at-Arms of Senate Ownthols, Sergean-at-Arms of Senate Ownthols, Sergean-at-Arms of Senate Ownthols, Sergean-at-Arms of Helmond: Congressman Bunds, and the very hard.

"Attorney-General Montague, Congress, "Attorney-Gabell, of Danill, Major Tyler, son of the Governor City Attorney Cabell, of Danill, Major Tyler, son of the Governor City Attorney Polinty of Richmond: Mr. James V. Treby, of Roman Jones, Hon. C. V. Meradith, of Richmond: Mr. James V. Treby, of Roman Jones, Hon. C. V. Meradith, of Richmond: Mr. James V. Treby, of Roman Jones, Hon. C. V. Meradith, of Richmond: Mr. James V. Treby, of Roman Jones, Hon. C. V. Meradith, of Richmond: Mr. James V. Treby, of Roman Jones, Hon. C. V. Meradith, of Richmond: Mr. James V. Treby, of Roman Jones, Hon. C. V. Meradith, of Richmond: Mr. James V. Treby, of Roman Jones, Hon. C. V. Meradith, of Richmond: Mr. James V. Treby, of Roman Jones, Hon. C. Treby, of Roman Jones, Hon. C. Treby, of Roman Jones, Hon. C. V. Meradith, of Richmond: Mr. James V. Treby, of Roman Jones, Hon. C. Treby, of Roman Jones, Hon. C. Treby, of Roman Jones, Hon. C. V. Meradith, of Richmond: Mr. James V. Treby, of Roman Jones, Hon. C. V. Meradith, of Richmond: Mr. James V. Treby, of Roman Jones, Hon. C. Treby, of Roman Jones, Hon. C. V. Meradith, of Richmond: Mr. James V. Treby, of Roman Jones, Hon. C. V. Meradith, of Richmond: Mr. James V. Treby, of Roman Jones, Hon. C. V. Meradith, of Richmond: Mr. James V. Treby, of Roman Jones, Hon. C. V. Meradith, of Richmond: Mr. James V. Treby, of Roman Jones, Hon. C. V. Meradith, of Richmond: Mr. James V. Treby, of Roman Jones, Hon